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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,010	04/16/2004	Jeffrey R. Aamodt	418268823US1	9213
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EXAMINER				
VU, THANH T				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/826,010

Applicant(s)

AAMODT ET AL.

Examiner

THANH T. VU

Art Unit

2174

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15, 19, 21-27 and 35-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15, 19, 21-27 and 35-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/06)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/24/2007 has been entered.

This communication is responsive to Amendment, filed 10/29/2007.

Claims 15, 19, 21-27, 35-39 are pending in this application. In the Amendment, claims 16-18, 20, and 28-34 were cancelled, and claims 15, 35, 36 and 39 were amended.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 15, 19, and 21-23 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. New subject matter: "storing in memory of the computer system a threshold for a scaling percentage" and "determining whether node data is displayed with a scaling percentage that is below the stored threshold for the scaling percentage" were not described in specification at the time the application was filed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15, 19, 21-27, and 35-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. ("Walker", U.S. Pat. No. 6,594,696), Garland (U.S. Pat. No. 6,252,596) and Nolan (U.S. Pat. No. 5,754,873).

Per claim 15, Walker teaches a method for generating a network diagram with nodes at different magnification levels comprising the steps of:

displaying one or more nodes of a network diagram (fig. 2);

determining whether a mouse pointer is positioned in a predefined region containing a node (col. 4, lines 48-55);

determining whether node data is visible to a user (col. 4, lines 13-18).

Although Walker teaches in response to a mouse pointer intersecting the predefined region, displaying more detail information of one or more of the nodes in a network diagram and in response to a mouse pointer leaving the predefined region, remove the detailed information from the display (fig. 6; steps 105-110), Walker does not specifically teach storing in memory of the computer system a threshold for a scaling percentage; in response to a mouse pointer intersecting the predefined region, determining whether node data is displayed with a scaling percentage that is below the stored threshold for the scaling percentage; when it is determined that the node data is displayed with a scaling percentage that is below the threshold, displaying

one or more of the nodes at an increased magnification level relative to other nodes in the network diagram; and in response to a mouse pointer leaving the predefined region, displaying the one or more nodes at a scaling percentage that is below the threshold. However, Noland teaches storing in memory of the computer system a threshold for a scaling factor, and determining whether node data is displayed with a scaling percentage that is below the stored threshold for the scaling factor (col. 2, lines 50-60; and col. 3, lines 15-20). Garland teaches in response to a mouse pointer intersecting the predefined region, determining whether node data is displayed with a scaling percentage that is below a threshold, when it is determined that the node data is displayed with a scaling percentage that is below the threshold, displaying one or more of the nodes at an increased magnification level relative to other nodes in the network diagram (fig. 6; col. 8, lines 4-17; col. col. 9, line 53-col. 10, line 15); and in response to a mouse pointer leaving the predefined region, displaying the one or more nodes at a scaling percentage that is below the threshold (col. 8, lines 4-17; col. 10, lines 15-25). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of magnifying a predefined region as taught by Noland, and Garland in the invention of Walker in order to enhance visual profile of a selected object over the non-selected object in a graphical user interface.

Per claim 19, Walker and Garland teach the method of Claim 15. Garland further teaches comprising determining whether a magnified node has been displayed for a predetermined length of time (fig. 6; time window; col. 9, lines 53-57).

Per claim 21, Walker and Garland teach the method of Claim 15. Walker further teaches wherein the predefined region comprises a drawing area containing a plurality of nodes (fig. 2; col. 4, lines 7-13).

Per claim 22, Walker and Garland teach the method of Claim 15, wherein determining whether node data is displayed with a scaling percentage that is below a threshold (Garland, col. 9, line 53-col. 10, line 15) further comprises determining whether the network diagram is being scaled for display (Walker, col. 4, lines 13-18).

Per claim 23, Walker and Garland teach the method of Claim 15. Garland further teaches comprising determining whether the mouse pointer has been positioned in the predefined region containing the node for a predetermined period of time (col. 9, line 53-col. 10, line 15).

Claims 24-27 are rejected under the same rationale as claims 15, 23, 22, 19 respectively.

Claim 35 is rejected under the same rationale as claim 1. In addition, Garland further teaches the network diagram being displayed in ID-only mode (col. 4, lines 20-24; col. 5, lines 5-10).

Per claim 36, Walker and Garland teaches the computer-readable medium of claim 35. Garland further teaches wherein the threshold set for scaling percentage factor is based on whether text of the task data is comprehensible (col. 10, lines 3-15).

Per claim 37, Walker and Garland teaches the computer-readable medium of claim 35. Garland further teaches wherein text of the task data is comprehensible when the node and task data is displayed with the increased magnification (col. 10, lines 3-15).

Per claim 38, Walker and Garland teaches the computer-readable medium of claim 35. Garland further teaches when the mouse pointer is no longer hovering over the node, displaying

the node and the task data of the node at the original scaling factor (col. 8, lines 4-17; and col. 10, lines 15-27).

Per claim 39, Walker and Garland teaches the computer-readable medium of claim 35. Garland further teaches wherein the node and task data are not displayed with the increased magnification when a node popup feature is not selected (col. 8, lines 4-17; and col. 10, lines 15-27).

Response to Arguments

Applicant's arguments with respect to the amendment have been considered but are moot in view of the new ground(s) of rejection.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THANH T. VU whose telephone number is (571)272-4073. The examiner can normally be reached on Mon- Fri 7:00 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thanh T. Vu/
Examiner, Art Unit 2174